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1 MS. CULLEN: This is Angie Cullen  
2 with Southwestern Bell. What we're referring to  
3 here is if we're doing business with a CLEC, via  
4 a service bureau, there can be times where the  
5 service bureau has to do something with it,  
6 whether it be a reject or a FOC or a transaction  
7 response or something like that, we cannot  
8 measure that portion of that time. So our  
9 measurement stops, and when we make that reject,  
10 whether it's a reject or a FOC, you'll see this  
11 language throughout multiple of the PMs. As  
12 soon as we make it available to the service  
13 bureau and/or CLEC, that's when we stop. That's  
14 when the time clock stops for us. So if that  
15 service bureau has to do processing with it, has  
16 to do anything else to then retransmit that to  
17 the CLEC, we cannot count or include any of that  
18 time in the measurement. That's simply what  
19 it's stating.  
20 MS. CHAMBERS: Okay.  
21 MS. NELSON: Mr. Cowlishaw?  
22 MR. COWLISHAW: The change that  
23 Southwestern Bell proposed to the business rule  
24 language about when the order becomes known or  
25 when the reject becomes known to LASR being the

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1 start time, if PM 10 stays fundamentally the  
2 same as it is today and has been reported in the  
3 past, then Southwestern Bell's language proposal  
4 is consistent with that.  
5 AT&T had made a proposal to change  
6 PM 10, and I don't know if you want to talk  
7 about it right now, that is a more fundamental  
8 change to the measure, and that is to make it  
9 run not from when the reject becomes known to  
10 LASR, but from receipt of the LSR, the time from  
11 when the CLEC sends the LSR until the reject  
12 comes back. That's the total interval that's of  
13 concern to the CLEC, and as one of the guilty  
14 parties personally for the fact that this  
15 measure only captures a small fraction of the  
16 process that's of concern to CLECs, I would like  
17 to see the measure changed to get the totality  
18 of the process in there.  
19 All the measure captures now is -- you  
20 send your LSR, it goes over, it's being  
21 processed, none of that time is being picked up.  
22 If delay occurs there, you don't get it in this  
23 measure. Once the reject is created and known  
24 to LASR, then we're capturing does it come back  
25 within an hour. That has proven to be in AT&T's

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1 experience -- I think that of others -- a  
2 relatively trivial part of the process, and  
3 we're missing the significant interval.  
4 For the ones that come back over LASR  
5 GUI, 10.1, we measure from receipt of the LSR  
6 until it comes back. That's the five-hour  
7 interval, and so that was our proposal for  
8 changing it to receipt of LSR, in creating an  
9 interval that's consistent with complete  
10 electronic processes. We suggested a ten-minute  
11 interval, and in the spirit of the six-month  
12 review, if we could make those changes to PM 10  
13 and make it a more valuable measure than it  
14 currently is today, AT&T proposed that it would  
15 not object to getting rid of PM 11 in that  
16 setting.  
17 MR. DYSART: This is Randy Dysart,  
18 Southwestern Bell. Well, as probably one of the  
19 other guilty parties that Pat was referencing,  
20 we would agree to measure it as receive the LSR,  
21 and the time stops when the reject is available  
22 to the CLEC, and the other thing is we're not  
23 agreeable to the ten minutes. We'd like to keep  
24 it an hour, at least until -- for a period of --  
25 I mean, we have the opportunity to review it

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1 again in six months, but we don't have data on  
2 this, but we would agree to the hour, as we have  
3 it today, and with the change -- from the start  
4 and stop time change.  
5 MS. CHAMBERS: Okay. This is  
6 Julie Chambers with AT&T. I almost forgot my  
7 name.  
8 Randy, on that -- so are you agreeing  
9 to the start and stop time, or did you say by  
10 the time the reject is available to the CLEC? I  
11 just want to clarify what you meant by that.  
12 MR. DYSART: Right. What we  
13 agreed to is we'll start the time when we  
14 receive the LSR, and we will end it when the  
15 reject is available to the CLEC, via LEX or EDI.  
16 MS. CHAMBERS: So -- okay. Okay.  
17 MR. SRINIVASA: So it will be the  
18 time stamp at the LRAF?  
19 MS. CULLEN: This is Angie Cullen,  
20 Southwestern Bell. Essential the end time stamp  
21 does not change. The end time stamp is still  
22 when the reject is available to the CLEC or the  
23 service bureau, via LEX or EDI. We're talking  
24 the start time stamp at receipt of the LSR  
25 rather than when LASR knows it's a reject and it

<p style="text-align: right;">Page 193</p> <p>1 triggers the reject to go back. 2 MS. EMCH: This is Marsha Emch 3 with MCI WorldCom. Just a point of 4 clarification. This start time, the receipt of 5 the LSR, that doesn't matter whether that's from 6 a service bureau provider or from a CLEC. 7 MR. DYSART: It's when we receive 8 it. Right? 9 MS. CULLEN: Yes, this is Angie 10 Cullen, Southwestern Bell. Again, it's not 11 service bureau's spare time. It's when that LSR 12 hits our LEX or EDI system on the SWBT side. 13 MS. EMCH: Okay. 14 MR. SRINIVASA: Okay. One hour 15 until the next six-month's review, that's what 16 Southwestern Bell is proposing, to leave it 17 within one hour rather than ten minutes. Do you 18 have a response back for that? 19 MR. COWLISHAW: That's a 20 substantial improvement in the measure. I don't 21 know if we'll be able to -- we haven't talked 22 about PM 11 yet, or we don't have our hands on 23 any data. 24 MR. DYSART: Here's what I'll do 25 for you. In the spirit of collaboration, we'll</p>	<p style="text-align: right;">Page 195</p> <p>1 bit more complicated in terms of if something is 2 sitting in a queue waiting for an electronic 3 process inbound, we don't -- the electronic 4 process does not know it's there. Now, we've 5 done significant changes in configurations. 6 We've done significant communication with the 7 CLECs as to how the best way is to set that 8 configuration so that queue time is an absolute 9 minimum amount of time, and we should be talking 10 very few seconds as those things set up. 11 Now, on the reverse, in terms of 12 sending a response back to the CLEC, we will not 13 include any time that we spent requeuing trying 14 to get a successful send to the CLEC. We take 15 from the time that that is available. We make 16 our first transmission attempt to the CLEC, but 17 we will not count any additional time that we 18 have to attempt over and over and over again to 19 send and get a successful response to the CLEC. 20 So those -- and I know there was a lot 21 of discussion and misunderstanding about some of 22 those queue times, but in terms of measuring the 23 SWBT process, we measure it from the first time 24 it hits an electronic medium where we can take a 25 meaningful time stamp to the last point where</p>
<p style="text-align: right;">Page 194</p> <p>1 keep PM 11 so you can use it for analysis for 2 the next six-month's review, if we go with the 3 hour. 4 MR. SRINIVASA: So you'll still 5 capture the average. 6 MR. DYSART: It'll capture the 7 average, and we'll keep that, and then at the 8 next six-month review, we can look at getting 9 rid of 11 if you need to tighten it. 10 MR. COWLISHAW: I think you'll see 11 generally through our recommendations we would 12 like to get to a disaggregation for fully 13 electronic processing that's down to shorter 14 intervals than even the hour we're talking 15 about, but this is a step forward, and we'll 16 collect this data and hopefully be in a position 17 to show that indeed a shorter interval is 18 appropriate. 19 MR. WILLARD: Walt Willard with 20 AT&amp;T. It's also with our understanding that any 21 time that an order or reject spends in a queue 22 would not be -- that queue time would not be 23 subtracted from the interval. 24 MS. CULLEN: This is Angie Cullen. 25 When we talk about queue time, it gets a little</p>	<p style="text-align: right;">Page 196</p> <p>1 SWBT can control the transmission of that 2 response back to the CLEC. So we do include 3 every bit of electronic time in there that we 4 absolutely can collect in a mechanized fashion. 5 MR. WILLARD: Walt Willard with 6 AT&amp;T. Just to be sure that I understood then, 7 on the inbound side, queue cue time would not be 8 included because effectively the electronic 9 system has not recognized the receipt of the 10 LSR. Is that accurate? 11 MS. CULLEN: Yes. 12 MR. WILLARD: On the outbound 13 side, the only queue time that would be included 14 would be on the initial -- queuing for initial 15 transmission. In the event that the initial 16 transmission failed, then any additional queue 17 time or requeuing would not be included. 18 MS. CULLEN: Correct. Unless we 19 were able to determine that the reason for the 20 failure to transmit was a SWBT problem and -- 21 then we would go through an adjustment process 22 upon the resend to take the second transmission 23 time. 24 MR. WILLARD: So -- Walt Willard, 25 AT&amp;T. If there was a problem with the LRAF, for</p>

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<p>1 example, you would somehow become aware of that 2 and do a manual adjustment? 3 MS. CULLEN: If the problem was 4 with the LRAF, we would not mark that as a 5 successful completion. We would know we 6 couldn't get it out our door. The issue 7 isn't -- the issue is if we can connect on the 8 CLEC side to get that, then we will know that 9 with a different response or return code through 10 our process than if we could not get it out of 11 our facility. So there's two different 12 scenarios there. If we can -- if we can tell 13 that it got out of our facility and just could 14 not connect on the CLEC side, then we would say 15 that's our end time stamp. 16 MS. CHAMBERS: This is Julie 17 Chambers with AT&amp;T, and at this point, we really 18 don't have enough information about the batching 19 and queuing mechanisms on Southwestern Bell's 20 side to remove this clarification in the 21 business rule because it would be our position 22 that as the LSR is received into Southwestern 23 Bell's queuing mechanism, it should be at that 24 point captured as received, regardless of the 25 fact that it might not be further within your</p>	<p>1 fall the companies were attempting to put into 2 what used to be called the mid-level document, 3 the data collection process description, which 4 was a document that would provide a more 5 detailed description of how the data is actually 6 collected on each of these measures. It had 7 process flow diagrams with where the time stamp 8 was taken on income and where it was on outgo, 9 and we were in the process of trying to work 10 through that document back in the September or 11 October time frame, and partly in view of the 12 upcoming three o'clock call, I was going to ask 13 whether there is an intention in terms of 14 Southwestern Bell and the Commission to 15 recommence work at some point on that mid-level 16 document? It may be that some level of detailed 17 issues may be better addressed in such a 18 document. In the absence of it, we felt the 19 need to make the kind of recommendation you see 20 in the specific business rule language we had 21 proposed. 22 MS. NELSON: I think the 23 Commission intends that the parties work on the 24 mid-level document. 25 MR. SRINIVASA: Or the technical</p>
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<p>1 systems, it's still within your queuing 2 mechanize. 3 MS. CULLEN: Well, again -- this 4 is Angie Cullen, Southwestern Bell. As much as 5 possible, we are relying on mechanized processes 6 to collect this information. As I've stated, 7 we've worked with all of the CLECs as much as 8 possible to ensure that we understand the 9 configuration, and that queue time -- we're 10 talking seconds or subseconds to get that 11 process -- to get that LSR into our mechanized 12 process. So as we go through that time, as soon 13 as we've got it and we take the time stamp, you 14 need a mechanized process to take that time 15 stamp, and as soon as we can get it into an 16 intelligent mechanized process that can receive 17 that, we do take the time stamps as soon as 18 possible. 19 MS. KETTLER: This is Pattie 20 Kettler with -- 21 MS. NELSON: Can you hold on? 22 Mr. Cowlshaw has been holding up his hand. 23 MR. COWLISHAW: This is an issue 24 or similar issues like this around the queuing 25 time were in a detailed level that in -- last</p>	<p>1 publication. Rather than making it part of the 2 PM business rule, it was a separate document, 3 stand-alone tech pub. Probably it will be taken 4 up in view of the fact that the six-month review 5 is going to introduce some changes. It may be 6 appropriate to look at it at that time and take 7 up the review of the tech pub. 8 MS. NELSON: Does Southwestern 9 Bell have any problem with that? 10 MS. CULLEN: No. This is Angie 11 Cullen. In fact, if you look at the existing 12 mid-level document, we do explain what happens 13 before and after those time stamps in that 14 existing document in reference to anything that 15 happens before we take a time stamp or after we 16 take a time stamp, whether for an LSR, a reject 17 or a pre-order transaction. So we have outlined 18 those things in the existing English mid-level 19 document, and if we go down that road again, 20 these things would be reflected appropriately in 21 there. 22 MS. NELSON: Okay. Sorry. 23 MS. CHAMBERS: Can I say one last 24 thing? 25 MS. NELSON: Okay.</p>

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1 MS. CHAMBERS: Quickly.  
2 MS. NELSON: I think Ms. Kettler  
3 has been waiting to say something.  
4 MS. KETTLER: That's okay. Go  
5 ahead.  
6 MS. NELSON: Okay.  
7 MS. CHAMBERS: We can duke it out  
8 later.  
9 This is Julie Chambers with AT&T. I  
10 think just the same way that it was described  
11 that only the first transmittal on the return of  
12 the reject would be counted, it's when -- I  
13 mean, that's when the reject became available to  
14 the CLEC. On the inbound side, once it gets to  
15 your queuing, that's when the LSR became  
16 available to Southwestern Bell. So I think  
17 we're just looking at how we could get a measure  
18 that gets that total, you know, time.  
19 MS. CULLEN: This is Angie Cullen,  
20 Southwestern Bell. I understand your point.  
21 That's why we've been working continuously with  
22 the CLECs to make sure that our configurations  
23 are set to their needs because the bottom line  
24 is I can't measure that. I don't have a  
25 mechanized process. I don't have a way to time

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1 stamp something until it hits a mechanized  
2 process that can measure. I don't have a way to  
3 time stamp in an electronic format when those  
4 things are hitting that queue. So that's why we  
5 do monitor the queues, and we watch them, and we  
6 have paging and alerting that's based on a queue  
7 that exists, but it's not something that can be  
8 opened up and logged and created from that  
9 perspective. If I could open up and log it,  
10 then I could process it. So that's a little bit  
11 of the problem that I have in that, and that's  
12 why the continual work with the CLECs on how  
13 LSRs are being transmitted, what is your mode,  
14 are you doing batch, are you doing real time,  
15 that's why that communication is very important  
16 because there are limits to what we can capture  
17 electronically in terms of these time stamps and  
18 when things hit and leave our systems.  
19 MS. NELSON: Okay. We're going to  
20 move on to the hot cuts, and so for those of you  
21 who are not interested in hot cuts, I would say  
22 come back at approximately four o'clock.  
23 Let's go off the record for a moment.  
24 (Discussion off the record)  
25 MS. NELSON: Okay. Let's start.

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1 Southwestern Bell has distributed a copy of the  
2 new measurements that they've proposed and --  
3 MS. MURRAY: If I may, Judge  
4 Nelson?  
5 MS. NELSON: Let's go ahead and  
6 have Southwestern Bell discuss what they've  
7 handed out. You're going to need to speak into  
8 a microphone, Ms. Murray.  
9 MS. MURRAY: I just wanted to  
10 point out that the package we handed out is all  
11 of the performance measurements that we talked  
12 about between 96 and 115.1. The only changes  
13 are on 96 and then 114 to the end.  
14 MS. NELSON: Okay.  
15 MS. MURRAY: That's just for  
16 everybody reviewing the document.  
17 MS. NELSON: Okay. What Ms.  
18 Murray said is she's handed out Performance  
19 Measures 96 through 115.1, but the only changes  
20 are on Performance Measure 96, 114.1 and 115?  
21 MS. MURRAY: No, it would be 96,  
22 114, 114.1, 115 and 115.1.  
23 MS. NELSON: Okay. 114, 114.1,  
24 115, 115.1.  
25 MR. COWLISHAW: And by changes, we

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1 mean changes from last --  
2 MS. MURRAY: Yes, they're changes  
3 from what we passed out last Friday, and  
4 unfortunately as we were going through doing the  
5 editing, it doesn't show up as 100 percent red  
6 line, but we've highlighted the language that is  
7 different from what was provided last time. So  
8 it should be fairly clear about the changes that  
9 we're proposing. Most of those changes resulted  
10 from our telephone call after the work session  
11 on Friday that we held at your direction.  
12 MS. NELSON: Okay. So could  
13 somebody from Southwestern Bell please go over  
14 the changes, and to the extent you can, please  
15 indicate where the changes have been made at the  
16 request of other parties or where there's  
17 agreement, I guess. If you could indicate that,  
18 please.  
19 MR. COOPER: This is Charles  
20 Cooper with Southwestern Bell. Can they hear me  
21 on the phone, Your Honor?  
22 MS. NELSON: Can you hear  
23 Mr. Cooper on the phone?  
24 UNIDENTIFIED SPEAKER: Yes.  
25 MS. NELSON: Okay. Thank you.

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1 UNIDENTIFIED SPEAKER: Not really.  
2 UNIDENTIFIED SPEAKER: No.  
3 MS. NELSON: He's going to come up  
4 and sit up here so you can hear him.  
5 UNIDENTIFIED SPEAKER: Yes,  
6 please. Thank you.  
7 MR. COOPER: Okay. This is  
8 Charles Cooper with Southwestern Bell, and last  
9 Friday we had a call with AT&T and other -- or  
10 was invited for other CLECs, and basically we  
11 were asked to clarify some of the exclusions.  
12 So starting on Performance Measurement  
13 96, it will be the second bullet, and this is  
14 basically to clarify what we're talking about  
15 CLEC-caused reasons for exclusion. The first  
16 one is the change of due date by the CLEC in  
17 less than four business hours prior to the  
18 scheduled date and time. Thank you, Your Honor.  
19 I'm just going to go through these  
20 changes unless there's any questions, I guess,  
21 from the bench or on the call. Okay. I just  
22 talked about the first one.  
23 MS. NELSON: Okay. Go ahead.  
24 MR. COOPER: The next change was  
25 on Performance Measurement 114. Sir?

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1 MS. NELSON: Someone is cutting in  
2 and out a lot. Did somebody just say something?  
3 (No response)  
4 MS. NELSON: Okay. Let's go on to  
5 114.  
6 MR. COOPER: 114 we added the  
7 same -- it sounds like somebody is coming in and  
8 out.  
9 MS. NELSON: Is somebody calling  
10 from a cell phone?  
11 MS. DeYOUNG: No, and I have you  
12 on mute. So -- this is Sarah DeYoung.  
13 MR. VANDEWATER: Likewise. This  
14 is Mark Vandewater.  
15 MR. FRANTZ: Rich Frantz,  
16 Allegiance. We've got you on mute as well on a  
17 speaker phone.  
18 MR. COOPER: Okay.  
19 MR. ROYER: As does Royer.  
20 MR. COOPER: Okay. We added that  
21 to your Performance Measurement 96, and we also  
22 added the same thing to 114 because they're  
23 basically the same measurements. 96 is for  
24 stand-alone LNP. 114 is for LNP with loop,  
25 either coordinated hot cut or framed due time.

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1 On Performance Measurement 114.1, we  
2 clarified CLEC -- excuse me -- CLEC-caused  
3 delays, e.g., no dial tone.  
4 MS. NELSON: I think we seem to  
5 have some interference, and I don't know who has  
6 the interference or what the line is. Maybe --  
7 MS. DeYOUNG: This is Sara DeYoung  
8 for AT&T. I will tell you that we were all  
9 talking to each other before you got on --  
10 MS. NELSON: Okay.  
11 MS. DeYOUNG: -- and it's, I  
12 think, you guys.  
13 MS. NELSON: Okay. Well, then  
14 we're going to hang up, and we're going to call  
15 back.  
16 MS. DeYOUNG: Okay.  
17 MS. NELSON: We'll just call back  
18 in one minute. Thank you.  
19 (Discussion off the record)  
20 MS. NELSON: Okay. Let's go back  
21 on the record then. Hopefully we won't have any  
22 problems now.  
23 MR. COOPER: All right. Let's go  
24 to 114.1. This is Charles Cooper, Southwestern  
25 Bell. Bullet No. 2, CLEC-caused delays was

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1 asked to be redefined or expounded on I guess  
2 would be another way of putting it, and we added  
3 no dial tone from the CLEC or CLEC translations,  
4 an example, do not allow Southwestern Bell the  
5 opportunity to complete the CHC and FDT orders  
6 within the designated interval.  
7 We also added the next bullet, which  
8 covers IDLC pair gain systems, identified on or  
9 before the due date. Those were the only  
10 changes to that.  
11 MS. NELSON: Are there any  
12 questions?  
13 MS. EMCH: This is Marsha Emch  
14 with MCI WorldCom. Can you just explain real  
15 briefly the IDLC, why that's excluded from this  
16 measure.  
17 MR. COOPER: In IDLC, which is  
18 intergrated digital loop carrier, which is  
19 hard-wired into the central office, there's no  
20 way to physically remove it off our frame and  
21 put it on the collocate. So we have to treat it  
22 as a new loop instead of a coordinated hot cut.  
23 We have to build out a new facility and dispatch  
24 a technician to the field. So once that's  
25 identified, we take it out of the coordinated

<p>Page 209</p> <p>1 hot cut or the framed due time mode, and, 2 therefore, treat it like a new loop. 3 MS. EMCH: Thank you. 4 MR. COOPER: Next plan. Okay. 5 Any other questions? 6 (No response) 7 MR. COOPER: Okay. Moving on to 8 115. This is the new measurement, percent 9 provisioning trouble reports. We added, just 10 for clarification, reports for which the trouble 11 is not attributed to the Southwestern Bell 12 network -- 13 MS. NELSON: As an exclusion. 14 MR. COOPER: -- as an exclusion -- 15 sorry -- unless Southwestern Bell had knowledge 16 of the trouble prior to the due date, and that 17 was discussed on our call Friday, and we added 18 it, and then we also added the IDLS exclusion to 19 this measurement. 20 We also in the business rules included 21 the performance measurements which could be 22 affected by these new provisional trouble 23 reports, and that's the second bullet, which is 24 PM 52.2, 56.1, 58, 91 and 99. We will include 25 any provisional trouble reports that extend past</p>	<p>Page 211</p> <p>1 agreement on these measures. 2 MS. De YOUNG: Your Honor, this is 3 Sarah De Young, for AT&amp;T. We have agreed with 4 everything except, I think, the unit that 5 applied to each of these as well as the related 6 benchmark. 7 And I would like to say -- this is new 8 thinking from AT&amp;T or updated thinking from AT&amp;T 9 since our discussion on Friday -- that we are 10 persuaded that Southwestern Bell currently does 11 not have the technical capability to measure the 12 PTRs in Measure 115 at the level of the unit 13 that we would prefer, which would be at the 14 customer level. 15 And we also feel strongly that the 16 units for Measures 114 and 115 need to be the 17 same. So we are willing to agree, at least on 18 an interim basis, to measure both of those types 19 of outages at a loop level. 20 So that is a further concession by AT&amp;T 21 since our discussion on Friday. It's my 22 understanding that that would be agreeable to 23 Southwestern Bell. Is that correct? 24 MR. COOPER: Sarah, this is 25 Charles Cooper. Are you saying on both 114,</p>
<p>Page 210</p> <p>1 the original due date into the calculation as 2 appropriate. 3 We also added the next bullet, PM 59, 4 69 and 98, will be excluded -- will exclude 5 provisional trouble reports from the 6 calculation. Any questions? 7 (No response) 8 MR. COOPER: And the last one was 9 115.1. Under the exclusions, it excludes 10 nonmeasured reports, and we expounded on that to 11 include CPE, interexchange carrier and 12 information reports, and interexchange carrier 13 we defined as a vendor. In some cases CLECs use 14 another provider for their reporting activities. 15 Therefore, Southwestern Bell felt like if that 16 was involved, it was an excludable reason. 17 Illuminet is what I'm thinking of, if they're 18 doing the LSMS or the SOA or the activated 19 reporting on behalf of the CLEC. 20 We also added the second bullet in the 21 exclusion. It excludes no access to the end 22 user's location. 23 Any questions on those? 24 MS. NELSON: Okay. I guess I 25 would like to know to what extent there's</p>	<p>Page 212</p> <p>1 114.1 and 115 they'd be at the loop level? 2 MS. De YOUNG: Yeah. That's what 3 we're offering. 4 MR. COOPER: Yes. We're agreeable 5 to that. 6 MS. De YOUNG: And I think then 7 the next question in our mind is what standard 8 should apply to, especially, Measure 115 where, 9 again, AT&amp;T's interpretation of the Bell 10 Atlantic order was five percent outages at the 11 customer level. 12 And we've given some thought to that 13 over the weekend. And we really need a 14 statistician, I think, to help us convert that 15 standard, if there is agreement that that in 16 fact was the standard in New York. And, again, 17 AT&amp;T is on the record as saying that five 18 percent customers is still too high, but using 19 that just for a moment as a starting point how 20 to convert that to the loop level. 21 What seemed intuitively obvious to us 22 when we did some more analysis this weekend 23 became much more complicated of a statistical 24 problem, and we would like to also offer to work 25 collaboratively with Southwestern Bell and our</p>

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1 statisticians to come up with a methodology that  
2 we would propose to do that conversion.

3 MS. NELSON: Southwestern Bell.

4 MS. MURRAY: Are we talking there  
5 about the benchmark? Is this what we're talking  
6 about here?

7 MS. NELSON: Right.

8 MS. De YOUNG: I'm sorry.

9 MS. NELSON: That was Kelly  
10 Murray, and she asked if we were talking about  
11 the benchmark.

12 MS. De YOUNG: Yes. I'm speaking  
13 specifically about the benchmark that would  
14 apply, again, in AT&T's mind to total outages,  
15 some combination of 114 and 115.

16 MR. COOPER: Sarah, this is  
17 Charles Cooper, and I just need to ask, I think,  
18 because we kind of did some initial looks at  
19 these if we were using orders versus lines, and  
20 it was fairly comparative on the results of the  
21 measurement.

22 There might have been like a  
23 three-tenths of a percent difference, kind of  
24 across-the-board. And I'm just curious. Have  
25 you-all done any initial analysis on that? I

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1 figure out whether or not that standard can be  
2 converted to the line level and, you know, what  
3 conditions cause it to be higher than the order  
4 percentage or lower than the order percentage or  
5 the same as.

6 MR. COOPER: Could I add  
7 something, Your Honor? This is Charles Cooper,  
8 Sarah. And, again, just kind of looking at --  
9 and not talking about any numbers, but some  
10 analysis that your company and I have done  
11 between each other, and we're kind of looking at  
12 how many orders and how many lines were  
13 associated, and they ran fairly close to the  
14 same percentage whether you were using lines or  
15 orders based on the outages that we were kind of  
16 agreeing --

17 MS. De YOUNG: This is Sarah  
18 De Young, AT&T, again. I don't believe that's  
19 true, Charles, if you look at the numbers that  
20 have been put on the record for the months prior  
21 to the ones that we're currently reconciling.

22 MS. NELSON: I guess I would be  
23 interested in knowing if Southwestern Bell would  
24 be willing to work with AT&T and any other CLEC,  
25 for that matter, to come up with or would

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1 mean, are you talking about maybe staying with a  
2 five percent on a line basis, or do you-all  
3 equate a lower benchmark on that if you go to  
4 the line, or where did you-all go with your  
5 analysis?

6 MS. De YOUNG: Well, again, Sarah  
7 De Young, for AT&T. We believe that the Bell  
8 Atlantic standard is five percent at the  
9 customer level.

10 And I think the question on the table  
11 is the appropriate methodology for converting  
12 that, if it's possible to convert it to the line  
13 level.

14 MS. NELSON: I guess what he's  
15 asking is, did you have a number in mind, based  
16 on --

17 MS. De YOUNG: I can't have a  
18 number in mind, because I realized that the way  
19 we were thinking about it was flawed  
20 arithmetically. And so we engaged our  
21 statisticians over the weekend, and we have an  
22 analysis kind of already started to take a look  
23 at that.

24 But I'm not going to pull a number out  
25 of the air. I think it's more important that we

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1 entertain other numbers to the extent CLECs came  
2 up with other numbers.

3 MS. MURRAY: I think that we'd be  
4 happy to sit down with AT&T and talk about  
5 numbers.

6 I think what we don't want to do is get  
7 into a position of waiving arguments on what the  
8 Bell Atlantic order does or doesn't require in  
9 terms of orders or lines on this percentage. I  
10 mean, I think we're operating off of five  
11 percent per line analysis, but I think that we'd  
12 always be happy to sit down and see if we can  
13 come to agreement on what the measure should be.

14 MS. NELSON: Let me just say what  
15 she said to the group so they can hear.

16 Ms. Murray said that she's willing to  
17 sit down and talk to AT&T or other CLECs, but  
18 Southwestern Bell believes that the five percent  
19 line is the same as the percentage set in the  
20 Bell Atlantic standard, and they are willing to  
21 sit down but they are not willing to admit by  
22 doing so that they are waiving arguments  
23 regarding Bell Atlantic.

24 MS. De YOUNG: Your Honor, could I  
25 ask a follow-up question?

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1 MS. NELSON: Well, you may, but  
2 your attorney is trying to speak, I think. She  
3 wants to give her legal interpretation.  
4 MS. BOURIANOFF: Michelle  
5 Bourianoff, for AT&T. And, Judge Nelson, I just  
6 wanted to clarify that I believe you allowed the  
7 parties to brief the issue of the Bell Atlantic  
8 standard.  
9 And so any discussions AT&T would be  
10 having at this point would not be about the  
11 legal implications of the Bell Atlantic standard  
12 but more about statistically what is the  
13 correlation between orders and lines and how  
14 could a comparison be made.  
15 MS. NELSON: Okay. Then I think  
16 we're in agreement on that. Okay.  
17 Ms. De Young.  
18 MS. De YOUNG: My follow-up  
19 question was -- to wonder if Southwestern Bell  
20 believed that that five percent standard should  
21 be additive 114 and 115 or simply apply to 115.  
22 I'm just seeking clarification on that.  
23 MS. MURRAY: I think we'd sit down  
24 and look at the whole package and figure out  
25 what makes the most sense.

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1 MS. NELSON: Could you hear that?  
2 MS. De YOUNG: Yes. Thank you.  
3 MS. NELSON: Okay. Now,  
4 Ms. Krabill has been trying to speak since we  
5 started. So I will recognize her.  
6 MS. KRABILL: Thank you. This is  
7 Nancy Krabill, with NEXTLINK. And unfortunately  
8 I want to go back to the issue of lines versus  
9 orders, and I wondered if anybody had thought  
10 about counting by TNs.  
11 And the reason I bring this up now is  
12 because in our reconciliation of data with  
13 Southwestern Bell, we found that we have one  
14 T1 quote line that may have LNP-L and it may  
15 have 100 or 1,000 customers affected because  
16 it's a DID line.  
17 So have you-all thought about that?  
18 MR. SRINTVASA: The T1s are not  
19 included in here. Is that correct?  
20 MS. NELSON: Right.  
21 MS. KRABILL: We included them in  
22 our raw data analysis.  
23 MR. DYSART: This is Randy Dysart.  
24 114 and 115 were really not designed for T1s.  
25 They were designed -- and predominantly -- for

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1 loop with port -- or loop with LNP, because LNP  
2 is captured in the LNP measurements on the  
3 actual converting -- porting the numbers.  
4 There's a lot of measures on porting  
5 numbers. But as was pointed out before, there  
6 was a problem with capturing those outages on  
7 loops, in particular. And that's really kind of  
8 what the focus of 114 and 115 were.  
9 And now I think we've expanded that  
10 into LNP only a little bit, and we've taken some  
11 measurements from LNP over, but I don't think  
12 that we want to include T1s in this --  
13 MS. KRABILL: But they were  
14 included in our analysis.  
15 MR. DYSART: And from a porting  
16 level, I think they probably are. But if it's  
17 just porting the LNP, they are probably in  
18 there, and they probably do it at a TN or a line  
19 level for LNP only.  
20 MS. KRABILL: And those were  
21 included in 114 before.  
22 MR. DYSART: Right.  
23 MS. KRABILL: So my question is,  
24 when those moved to 96, would you consider --  
25 would there be any discussion on having it by

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1 TN?  
2 MR. DYSART: This is Randy Dysart,  
3 Southwestern Bell. Are we on the record? Oh,  
4 okay. Oh, there you are. (Laughter) I was  
5 looking at you and you weren't doing anything.  
6 I was a little confused. I'm sorry.  
7 MS. NELSON: We are on the record,  
8 Mr. Dysart.  
9 MR. DYSART: You can delete that.  
10 (Laughter)  
11 MS. KRABILL: And just to clarify,  
12 Randy --  
13 MR. DYSART: I think they are  
14 actually at a line or TN level.  
15 MS. KRABILL: Just to clarify,  
16 this was in 114 before, because that's how we  
17 did it in our data analysis. Now we're really  
18 talking about the new 96, which is the port  
19 only. Correct?  
20 MR. DYSART: Right. But I believe  
21 that those PMs would include the numbers that  
22 you port and not -- it's not going to be the T1.  
23 It will be the number --  
24 MS. KRABILL: It will be the TNs.  
25 MR. DYSART: The TNs on there,



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1 yes.  
2 MS. KRABILL: So maybe we could  
3 specify that on the documentation for 96.  
4 MR. COOPER: One thing I might  
5 add, too -- this is Charles Cooper, with  
6 Southwestern Bell -- if you look at 100 and 101,  
7 they're basically on the TN level. Nancy,  
8 that's when you activate them, how long does it  
9 take us to provision those in our network.  
10 And really I have to kind of agree with  
11 Randy. And that's how we originally interpreted  
12 the order for the reconciliation, is LNP with  
13 loop, because 114 and 114.1 specifically was,  
14 how long does it take us to move that jumper on  
15 that loop off of our network on to yours.  
16 So if you start talking about numbers,  
17 we're really kind of capturing those in 100 and  
18 101, of how quick we provision those numbers in  
19 our network. Now, I think maybe your question  
20 is, if we have an early disconnect on a single  
21 order that has multiple DID numbers associated  
22 with it, how is that captured?  
23 MS. KRABILL: Exactly.  
24 MR. COOPER: And, Terry, I guess  
25 I'd have to ask you, how do we capture that?

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1 MR. HOEVEN: This is Terry Hoeven,  
2 Southwestern Bell. It's at a line level,  
3 telephone number level.  
4 MR. COOPER: If we have 400, we  
5 should have 400 early disconnects associated  
6 with that?  
7 MR. HOEVEN: Yeah. If they have  
8 400 DID numbers and they all get taken down  
9 prematurely, then we report 400 numbers, because  
10 we track it by the number of telephone numbers  
11 that are port.  
12 MR. COOPER: So I guess for your  
13 benefit, Nancy -- this is Charles Cooper, with  
14 Southwestern Bell -- even though it's not a  
15 line, we track the number as a line.  
16 MS. KRABILL: Right. It says  
17 "orders" on Measure 96.  
18 MR. COOPER: Well, originally we  
19 were writing this because we thought we were  
20 going to orders and --  
21 MS. KRABILL: Okay.  
22 MR. COOPER: -- and had to go back  
23 and revise this to lines/telephone numbers, I  
24 guess. We'll look at it and --  
25 MS. KRABILL: Is that right?

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1 That's great.  
2 MR. HOEVEN: We track everything  
3 else by telephone number. This is Terry Hoeven,  
4 Southwestern Bell.  
5 MR. COOPER: And I guess for --  
6 this is Charles Cooper, again. I guess for  
7 stand-alone LNP with no loop we can specify a  
8 telephone number for you.  
9 MS. KRABILL: Super.  
10 MS. NELSON: Okay. Are there any  
11 other questions or comments?  
12 MS. De YOUNG: Your Honor, Sarah  
13 De Young, for AT&T. You asked a question to  
14 what degree these were agreed to. I just want  
15 to finish answering for 114.1.  
16 We still have a disagreement about the  
17 benchmark for that measure. AT&T believes that  
18 FDTs should be 98 percent within 30 minutes and  
19 that CHC for less than 10 loops should be 98  
20 percent within one hour, and 10 to 24 loops, 98  
21 percent within two hours.  
22 Other than that, we agree with the  
23 revisions that were made.  
24 MS. NELSON: Okay. I guess the  
25 Commission will have to make a cut on those,

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1 then.  
2 MR. SRINIVASA: Well, just a  
3 second. 114.1 is in terms of orders. Are you  
4 changing it to loops?  
5 MR. COOPER: Yes, sir. We're  
6 going back to lines.  
7 MS. MURRAY: I think this is the  
8 same dispute that we were talking earlier about  
9 what is required by the --  
10 MS. NELSON: Bell Atlantic order.  
11 MS. MURRAY: -- Bell Atlantic  
12 order.  
13 MS. NELSON: Did we come up with a  
14 date on the filing of a brief on that?  
15 MS. MURRAY: No, we didn't.  
16 MS. NELSON: So we need to decide  
17 that today, and we also need to talk about -- we  
18 also discussed Wednesday, I believe,  
19 establishing a date and time for a meeting  
20 between the CLECs and Southwestern Bell to  
21 explain the raw data to the extent that is  
22 necessary.  
23 And I would like -- I asked people to  
24 do that off-line, but I'm not so sure it's been  
25 done. So I would like for that date and time to

<p style="text-align: right;">Page 225</p> <p>1 be set up today.</p> <p>2 MS. KRABILL: This is Nancy</p> <p>3 Krabill, with NEXTLINK. Can I ask if the</p> <p>4 headings are going to be the same fifty ones we</p> <p>5 most recently saw in the new raw data?</p> <p>6 My question being, the most recent</p> <p>7 headings were very self-explanatory. I don't</p> <p>8 think that we would need a meeting just to</p> <p>9 explain what's in that spreadsheet.</p> <p>10 But the old headings were bad.</p> <p>11 MS. NELSON: Okay. Southwestern</p> <p>12 Bell.</p> <p>13 MR. DYSART: This is Randy Dysart,</p> <p>14 Southwestern Bell. Are you talking all raw data</p> <p>15 in general or this specific 114 and 115?</p> <p>16 MS. KRABILL: 114 and 115 was</p> <p>17 beautiful. That was great. The previous</p> <p>18 iteration that we received in January or</p> <p>19 February had cryptic, sort of abbreviations at</p> <p>20 the top of the columns. I couldn't really</p> <p>21 understand it.</p> <p>22 MR. DYSART: It was a test.</p> <p>23 (Laughter)</p> <p>24 MS. KRABILL: Thank you.</p> <p>25 MR. DYSART: Yeah. We'll keep the</p>	<p style="text-align: right;">Page 227</p> <p>1 out an accessible letter.</p> <p>2 MR. DYSART: Okay. We'll do that.</p> <p>3 MS. NELSON: Okay. Mr. Cowlshaw.</p> <p>4 MR. COWLISHAW: A clarification</p> <p>5 question on 114. The business rules define</p> <p>6 premature disconnect. Anytime -- or the</p> <p>7 definition speaks in terms of percentage</p> <p>8 orders -- it will be lines, I guess -- where</p> <p>9 SWBT disconnects the customer prior to the</p> <p>10 scheduled start time.</p> <p>11 I just want to be sure as we now have</p> <p>12 transitioned this to my understanding so that</p> <p>13 114 is LNP with loop and 96 is LNP. There is</p> <p>14 two kinds of disconnects, is the way I think of</p> <p>15 the word.</p> <p>16 There's both: When you lift the loop</p> <p>17 too early and cut off the customer all together</p> <p>18 or the translations are stripped too early. And</p> <p>19 I want to be sure that for purposes of LNP with</p> <p>20 loop orders both of those categories of</p> <p>21 premature disconnects are going to be captured</p> <p>22 in PM 114.</p> <p>23 MR. COOPER: You want me to answer</p> <p>24 it? This is Charles Cooper, with Southwestern</p> <p>25 Bell. When we originally looked at 96, Pat, it</p>
<p style="text-align: right;">Page 226</p> <p>1 same headings.</p> <p>2 MS. KRABILL: Just for 114 and 115</p> <p>3 or for all?</p> <p>4 MR. DYSART: Well, I would have to</p> <p>5 see what the other headings were. Hopefully if</p> <p>6 they're explanatory the last time, then we would</p> <p>7 continue to do that. I mean, that would be our</p> <p>8 intent, because we definitely want you to</p> <p>9 understand the information.</p> <p>10 So I wouldn't have any plan to change</p> <p>11 that, if you liked what was there before.</p> <p>12 MS. KRABILL: I only liked 114 and</p> <p>13 115. I did not like the old 50 generation. The</p> <p>14 only ones that I've been able to understand are</p> <p>15 the ones that I mostly recently received. So we</p> <p>16 may need to have a workshop on that.</p> <p>17 MS. NELSON: Let's go ahead and</p> <p>18 just schedule something, because there may be</p> <p>19 CLECs -- and then send out an accessible letter,</p> <p>20 because there may be CLECs who want to look at</p> <p>21 raw data who aren't even here.</p> <p>22 So if you guys could agree among</p> <p>23 yourselves and file a letter with the Commission</p> <p>24 by the end of this week as to when it will be</p> <p>25 set up, and then Southwestern Bell could send</p>	<p style="text-align: right;">Page 228</p> <p>1 kind of talked about the switch translations and</p> <p>2 114 talked about the jumper, if you would.</p> <p>3 And we felt like those are synonymous;</p> <p>4 it gets disconnected early whether you take the</p> <p>5 translations down or you disconnect the loop.</p> <p>6 But to answer your question -- and if you need</p> <p>7 us to define this a little bit further, we</p> <p>8 will -- but assume that, whether it's the</p> <p>9 translations taken down or -- if we disrupt that</p> <p>10 service in any form or fashion, we consider that</p> <p>11 an early disconnect, is what we're saying,</p> <p>12 whether it's the switch translations or a</p> <p>13 technician removing the cross-connect too early.</p> <p>14 MR. COWLISHAW: All of those would</p> <p>15 be in 114 for loop with LNP orders.</p> <p>16 MR. COOPER: Yes, sir. Now, do we</p> <p>17 need to clarify that anymore in the business</p> <p>18 rules?</p> <p>19 MR. COWLISHAW: Maybe that would</p> <p>20 be useful.</p> <p>21 MR. COOPER: Okay. We'll do that.</p> <p>22 MR. SRINIVASA: So in 96, LNP only</p> <p>23 means that a CLEC has provided their own loop</p> <p>24 but they just want the local number to be</p> <p>25 ported?</p>

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1 MR. COOPER: Yes, sir. I guess  
2 the same thing would apply if we stripped the  
3 translations on 96. That would be an early  
4 disconnect.  
5 MS. NELSON: I guess in terms of  
6 filing briefing on the issues of what the  
7 appropriate measure -- what the appropriate  
8 benchmarks should be --  
9 MS. MURRAY: Just one thing,  
10 Judge. If we're going to be getting together on  
11 the benchmarks, do we want to do that, because,  
12 you know, I don't know whether it makes a whole  
13 lot of sense to file briefing on it if we're  
14 going to agree on -- I mean, a couple of them we  
15 know we're not going to agree on.  
16 So maybe we ought to go ahead and do  
17 those.  
18 MS. NELSON: Okay. Does anybody  
19 else have anything to offer on that?  
20 MS. BOURIANOFF: Your Honor, I  
21 would think that we could go ahead and do the  
22 briefing about what the legal requirements of  
23 the Bell Atlantic order are at the same time  
24 we're engaged in conversations about what the  
25 statistical analysis and correlation between

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1 lines and orders is.  
2 I don't see those two things as being  
3 mutually exclusive. I think we would have  
4 conversations about the statistical test. I  
5 doubt we'll reach agreement on it, and we might  
6 need the Commission to make a cut on what the  
7 benchmark should be based on the legal  
8 requirements of Bell Atlantic.  
9 MS. NELSON: Okay. Well, let's go  
10 ahead and say that briefs will be due by next  
11 Friday, which would be, like, the 28th.  
12 MS. MURRAY: And then if we could  
13 get this other issue worked out in the meantime  
14 so that we don't have to deal with this --  
15 MS. NELSON: Right. And if the  
16 parties come to any agreement on the legal  
17 standards, they can state that in their briefs,  
18 or if they come to complete agreement, they can  
19 notify us -- (Laughter) -- and then nobody has  
20 to file a brief.  
21 MR. COOPER: Your Honor, are we  
22 going to talk about implementation of these  
23 measurements or anything?  
24 MS. NELSON: Well, we do need to  
25 talk about that. What I would like to do --

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1 well, I guess I would ask -- we need to discuss  
2 implementation of these measures, and I guess  
3 that this is probably just as good a time as  
4 any.  
5 But I also want to get updates from the  
6 parties on reconciliation of data. And I have  
7 some questions of AT&T and Southwestern Bell in  
8 terms of the data that they gave us this  
9 weekend, and I'll ask the questions in a way  
10 that it won't divulge confidential information.  
11 So let's talk about -- well, let me ask  
12 this: Would it be reasonable for all the  
13 parties off-line who are going to be discussing  
14 what the appropriate benchmark should be to try  
15 to come up with an implementation schedule?  
16 MR. COOPER: Yes, ma'am.  
17 MS. MURRAY: We can include it in  
18 the brief or notify you earlier.  
19 MS. NELSON: Right. Let's do  
20 that, then. As long as nobody is adverse to  
21 that, it seems like the most efficient way to  
22 proceed.  
23 MR. COOPER: I'm going to let my  
24 reconciliation guy come up. Okay?  
25 MS. NELSON: Okay.

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1 MS. MURRAY: Terry can probably  
2 sit here until they verify that they can't hear  
3 him. (Laughter)  
4 MS. NELSON: Right. I just want  
5 to make sure -- okay. Let's first of all start  
6 out with where you are with reconciliation with  
7 the CLECs other than AT&T.  
8 And I know certain CLECs have waived  
9 confidentiality. But if you could just tell me,  
10 like, we've reconciled with three of them or one  
11 of them or two of them and when you're going to  
12 file that information.  
13 MR. HOEVEN: This is Terry Hoeven,  
14 Southwestern Bell. I have one CLEC customer who  
15 I have reconciled everything except one order  
16 with on 114.1, and I'm awaiting a response.  
17 I have another CLEC customer who I  
18 believe has probably left me a voice mail on the  
19 one order that we have in question on 114. When  
20 those are wrapped up, I'll be finished.  
21 I expect to have those done probably  
22 tomorrow. There is one other CLEC who came to  
23 the table originally and said that they wanted  
24 to reconcile data, but we've not set a date with  
25 them and we've not reconciled anything.

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1 MS. NELSON: Okay. Could people  
2 on the phone hear that?  
3 UNIDENTIFIED SPEAKER: A little  
4 bit.  
5 MS. NELSON: Okay. What he said  
6 is he's waiting for two -- on -- there is one  
7 order in dispute or one line in dispute with two  
8 of the CLECs.  
9 MR. HOEVEN: There is one CLEC who  
10 we've not reconciled one order with, I believe,  
11 eight lines.  
12 MS. NELSON: Okay.  
13 MR. HOEVEN: I don't remember  
14 exactly.  
15 MS. NELSON: Okay. One CLEC with  
16 one order of eight lines that's not reconciled.  
17 MR. HOEVEN: And another CLEC with  
18 one order on Performance Measure 114. I don't  
19 know how many lines are involved in that order,  
20 just a couple.  
21 MS. NELSON: Another CLEC with one  
22 order that is not reconciled. And when will you  
23 be filing those reconciliations?  
24 MR. HOEVEN: I would expect to  
25 file those by Wednesday.

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1 MS. NELSON: Okay. Filing by  
2 Wednesday. And then the other CLEC, are you  
3 getting -- are you telling me that the other  
4 CLEC is not interested in moving forward?  
5 MR. HOEVEN: They have not  
6 indicated whether they are or whether they are  
7 not.  
8 MS. NELSON: Okay. So you've  
9 provided the data to them.  
10 MR. HOEVEN: Correct.  
11 MS. NELSON: And have you  
12 requested meetings with them?  
13 MR. HOEVEN: We've had two  
14 conference call meetings. There was some  
15 disagreement over what the intent of the order  
16 was, and since that's been clarified we've not  
17 heard back from them.  
18 MS. NELSON: You're waiting to  
19 hear back from that other CLEC.  
20 MR. HOEVEN: That's correct.  
21 MS. NELSON: Mr. Drummond. I'm  
22 assuming you might represent that other CLEC.  
23 MR. DRUMMOND: I'm assuming that I  
24 do. For the record, this is Eric Drummond, with  
25 Casey, Gentz & Sifuentes. In regard to the

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1 issue that Mr. Terry Haven was discussing --  
2 MR. HOEVEN: Hoeven.  
3 MR. DRUMMOND: -- Hoeven?  
4 MR. HOEVEN: Yes, sir.  
5 MR. DRUMMOND: Excuse me. My  
6 understanding is, on Friday I attempted to  
7 clarify with my client what the status of the  
8 receipt of their information was.  
9 The person responsible was on the west  
10 coast. I was able to get them out of a meeting.  
11 They called their office. They said they hadn't  
12 received the data. We talked again today. And  
13 my understanding is that this company just  
14 received this data this morning.  
15 I have a couple of calls in to see if  
16 they have made any progress on setting up some  
17 meetings. But their intent was that once they  
18 got the data to immediately try to pull some  
19 people off their regular duties to go ahead and  
20 start reconciling this data, and they are  
21 intending to do that and do it as quickly as  
22 possible.  
23 MS. NELSON: Okay. So when do you  
24 think that you would be able to file reconciled  
25 data between Southwestern Bell and your client?

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1 MR. DRUMMOND: What I don't know,  
2 Your Honor, is what is left in terms of them  
3 setting up a meeting with Southwestern Bell  
4 representatives in order to push the ball  
5 forward.  
6 And so I can't make a representation as  
7 to when they might have it.  
8 But I would hope that, if necessary,  
9 tomorrow we could either file something to  
10 indicate that the proper discussions have taken  
11 place and the data has been --  
12 MR. SRINIVASA: Is that data for  
13 LNP only orders?  
14 MR. DRUMMOND: It was -- the LNP  
15 only data was missing and it was needed.  
16 Apparently that's been furnished, including LNP  
17 data -- LNP and -- and LNP only data. So now I  
18 believe they have all the data, but just  
19 received all of it this morning.  
20 MS. NELSON: Okay. Now, with  
21 regard to the AT&T data --  
22 MS. KRABILL: Judge Nelson, would  
23 now be an appropriate time to go over the  
24 results of what we found in the data  
25 reconciliation, or should we do that after we

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1 hear from everybody? Were you interested in  
2 sort of what --  
3 MS. NELSON: Well, that's what you  
4 were going to be filing. The results is what  
5 you will be filing.  
6 MS. KRABILL: Great.  
7 MS. NELSON: I guess I have some  
8 questions of the AT&T/Southwestern Bell  
9 witnesses who did the reconciliation for those  
10 two parties.  
11 And, first, I would like an explanation  
12 from either AT&T or Southwestern Bell as to --  
13 and what I'm really trying to ascertain is the  
14 number of orders and/or lines where there is  
15 still disagreement on the duration of the cut.  
16 And I think based on Attachment C, I can tell  
17 those areas.  
18 I'm not sure to what extent there is an  
19 overlap of information between Attachment A --  
20 Attachment A seems to include denominators only,  
21 I guess. Would that be correct, Southwestern  
22 Bell or AT&T.  
23 MS. HUSER: I need to look at this  
24 real quick. Sarah, can you answer that one?  
25 MS. De YOUNG: Sarah De Young, for

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1 AT&T. I will tell you, Donna, I was a little  
2 confused what got filed in which attachment. My  
3 understanding on Friday was that 114 and the  
4 denominators ended up in A, and 114.1 ended up  
5 in B.  
6 MS. NELSON: 114.1 ended up in C  
7 and 114 ended up in B, I believe.  
8 MS. De YOUNG: Oh. All right.  
9 MS. BOURIANOFF: Your Honor, may I  
10 clarify. Michelle Bourianoff, for AT&T. I  
11 believe what ended up in Attachment A was the  
12 summary sheets for the reconciliation of 114 and  
13 114.1, along with the denominator sheets, and  
14 then --  
15 MS. NELSON: I'm sorry. Right. I  
16 was referring to -- I wasn't referring to the  
17 summary sheets on the cover. I was referring to  
18 the attachments that went order-by-order or  
19 line-by-line.  
20 MS. De YOUNG: Okay. And -- I'm  
21 sorry. Then your question was to what  
22 degree -- there are some that were unreconciled  
23 in Attachment C, 114.1, the duration of the cut.  
24 MS. NELSON: And the only ones I  
25 saw that were reconciled or -- I saw that there

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1 were various disagreements; like some of them  
2 were the date it was closed out. Some of them  
3 were -- I guess the first thing I want to get  
4 clear on the record is, you start on the  
5 left-hand side with the description of the order  
6 or PON number, whatever, and then you move on  
7 toward the right, and there is a column -- and  
8 tell me if I'm getting into confidential  
9 information -- I don't think I am -- is the  
10 column where it says, "AT&T agrees," and  
11 throughout the whole document it says "no."  
12 I'm assuming that's AT&T's initial cut  
13 before the reconciliation took place.  
14 MS. De YOUNG: That would be  
15 correct -- this is Sarah De Young, for AT&T --  
16 as well as -- the worksheet, of course, did not  
17 include all of the orders. You're just looking  
18 at those that we had a discrepancy on.  
19 MS. NELSON: Right.  
20 MS. De YOUNG: Anywhere we had a  
21 "yes" -- when we did the really initial cut was  
22 there were "yes's" and "no's," we eliminated all  
23 of the detail for the "yes's" and just focused  
24 our reconciliation on the "no's."  
25 MS. NELSON: Okay. That's what I

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1 thought.  
2 MS. De YOUNG: And, actually, if I  
3 could just add. The Columns "PON" through  
4 "Date" are taken from the raw data. They are  
5 the data that was provided by Southwestern Bell  
6 in the broad data, and then we appended the  
7 Columns "AT&T agree" and "AT&T comments," and  
8 passed the spreadsheets back to Southwestern  
9 Bell.  
10 They added their SWBT comments. And  
11 then during the course of the face-to-face  
12 reconciliation, we jointly agreed on the final  
13 results and documented that into the results of  
14 reconciliation column.  
15 MS. NELSON: Okay. It looked to  
16 me, when I went through everything, like there  
17 were agreements as to the duration of the cut  
18 except for one on Page 8, which is the first  
19 one.  
20 I don't want to go into any proprietary  
21 information. I don't need you to explain it  
22 because it's set out in there. I just want to  
23 know, both from Southwestern Bell and AT&T, if  
24 it's correct that there was no agreement reached  
25 on that one line.

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1 MS. De YOUNG: Let me just  
2 clarify. That would be DALY-9902331. I don't  
3 have a problem putting the PON number on the  
4 record.  
5 MS. NELSON: No. Is that the  
6 number?  
7 MS. HUSER: No. It's HUI-00035A.  
8 Sarah, and it does say, "were unable to  
9 reconcile" on that one.  
10 MS. De YOUNG: CHC or FDT?  
11 MS. HUSER: FDT.  
12 MS. De YOUNG: Okay. I'm sorry.  
13 The other Page 8.  
14 MS. NELSON: Right. That's  
15 correct. The way it's stapled in my copy, it's  
16 the first Page 8.  
17 MS. De YOUNG: Okay. Yes. That  
18 would be correct. And there is a handful where  
19 we could not agree, and we were trying to use  
20 the word "unreconciled" each and every time.  
21 MS. NELSON: Okay. Can you tell  
22 me if there were other ones that were  
23 unreconciled? In this handout I didn't see  
24 anything else.  
25 MS. De YOUNG: Yeah. We were

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1 pretty successful in -- we have log notes from  
2 both companies in front of us doing it. I don't  
3 see any others in this December attachment  
4 either.  
5 MS. NELSON: Okay. And then  
6 January also, I have attached to that -- do you  
7 see any in January?  
8 MS. De YOUNG: Well, these IDLC  
9 conditions, of course, we don't agree that those  
10 are not being treated as coordinated cutovers.  
11 So they are unreconciled to that degree, but not  
12 as to the length of the cut.  
13 MS. NELSON: Right. And that's  
14 true of a lot of them, that you have other  
15 disagreements --  
16 MS. De YOUNG: That's correct.  
17 MS. NELSON: -- but the length of  
18 the cut is what I'm particularly interested in.  
19 So were there any other ones that were not  
20 reconciled?  
21 MS. De YOUNG: No. Your Honor, I  
22 don't see any others --  
23 MS. NELSON: Okay.  
24 MS. De YOUNG: -- the January  
25 report either.

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1 MS. NELSON: Okay. Were there any  
2 in Attachment B, which is 114?  
3 MS. HUSER: The denominator.  
4 MS. NELSON: No. Attachment B,  
5 which is the same reconciliation that we just  
6 went over for 114.1, but it's 114.  
7 MS. De YOUNG: I don't believe so.  
8 MS. NELSON: Okay. And then for  
9 the denominator.  
10 MS. HUSER: We just had two, I  
11 think.  
12 MS. De YOUNG: There were a couple  
13 where we --  
14 MS. NELSON: Right. Ms. Huser  
15 just indicated two. Does that sound right to  
16 you?  
17 MS. De YOUNG: That sounds right.  
18 MS. NELSON: Okay. I just don't  
19 have any other questions about it. We just  
20 wanted -- Staff reviewed this this weekend, and  
21 we just wanted to make sure that we were clear  
22 as to where there were disagreements as to the  
23 duration of the cut. Okay. I think that we  
24 have covered everything, except, Ms. Krabill,  
25 you had asked the question about whether this

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1 was the appropriate time to go over what we  
2 learned in the reconciliation, and we indicated  
3 you would need to file that.  
4 At some point in the future we might  
5 want to do a very short session like this to go  
6 over the further reconciliations, because Staff  
7 had some questions as we looked at them.  
8 Although if they are done like this and  
9 we know how to read them, then we may not have  
10 questions.  
11 MS. BOURLANOFF: Your Honor, AT&T  
12 handed out a four-page or so list of  
13 recommendations that were our learnings on  
14 behalf of the reconciliation. We understood  
15 from the workshop last Wednesday and on the  
16 conference call on Friday that that was  
17 something that the Commission would be  
18 interested in hearing about, and I believe that  
19 Sarah De Young is prepared to discuss that if  
20 you would be interested in a short discussion  
21 about the learnings from the reconciliation.  
22 MS. NELSON: Sure. That would be  
23 fine. Ms. De Young, could you hear what your  
24 attorney was saying?  
25 MS. De YOUNG: Yes, I could.

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1 Thank you.  
2 MS. NELSON: And what she offered  
3 for you to do for the group? (Laughter)  
4 MS. De YOUNG: Sarah De Young, for  
5 AT&T. Yes. I prepared this four-page  
6 recommendation, learning out of the  
7 reconciliation, because it was my perception on  
8 Friday that you were looking for some sort of  
9 read-out.  
10 I was trying to net out the learnings  
11 from this particular reconciliation of the hot  
12 cut measures. So if I could just go over those.  
13 I tried to group them in categories. The first  
14 group of issues were under the category  
15 "Performance Measure Data Integrity." And the  
16 first issue said that we found that manual  
17 summarization of the raw data results in errors  
18 in the reported data.  
19 And you will remember we discussed this  
20 prior to the reconciliation on a conference call  
21 with Staff where we found discrepancies between  
22 the total number of orders and the total lines  
23 on our raw data versus what had been posted on  
24 the individual CLEC Web site.  
25 And our recommendation to address that

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1 issue is to mechanize the population of the Web  
2 site totals from the raw data. In other words,  
3 they should roll up and disaggregate down in a  
4 mechanized fashion. What we found as the root  
5 cause for the discrepancy was that the  
6 summarization of CLEC totals is being manually  
7 calculated and passed on to the performance  
8 measure Web site personnel, which has the  
9 potential -- and in this case it resulted in  
10 errors being posted to the Web site and --  
11 MS. NELSON: Okay.  
12 MS. De YOUNG: -- data that was  
13 discrepant between the Web site and the raw  
14 data.  
15 MS. MURRAY: Your Honor, this is  
16 Kelly Murray. I was going to suggest, this is  
17 first time we've seen the document. I know  
18 we've been involved in the reconciliation with  
19 AT&T, but this is the first time we've seen it  
20 put out in this manner.  
21 And my suggestion would be that maybe  
22 we just include this in the brief that we're  
23 going to be filing.  
24 MS. NELSON: Well, I think that's  
25 a good idea, and also included in the

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1 discussions, because I have a feeling that you  
2 can reach agreement on a lot of these issues.  
3 MS. MURRAY: Yes. And if we can,  
4 we, of course, would put that into brief.  
5 MS. NELSON: Right. And I would  
6 actually prefer that, too, since it's 4 o'clock  
7 now and we told the parties to be back here at  
8 4:00. I think that's a good solution to it.  
9 MS. BOURIANOFF: Your Honor, if  
10 it's okay, since this is already prepared, we'll  
11 just go ahead and file it and not wait for  
12 April 28th, and then it can be teed up for the  
13 discussions that Southwestern Bell is having  
14 with the other CLECs, and AT&T, on different  
15 issues.  
16 MS. MURRAY: Well, I guess I would  
17 just say that we don't have a reply to this  
18 document. We will have a brief in response. I  
19 guess we'd object to the filing.  
20 MS. NELSON: Okay. I don't really  
21 see a problem with them filing except to the  
22 extent it encourages a big exchange of paper.  
23 To the extent you can work it off-line, I think  
24 I would prefer that.  
25 MS. BOURIANOFF: Your Honor, my

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1 only concern in going ahead and getting it filed  
2 is, these are learnings that AT&T has arrived at  
3 with Southwestern Bell.  
4 We came and reported last Wednesday at  
5 the workshop about things we had learned with  
6 the reconciliation. I think some of the other  
7 parties on that Wednesday workshop were  
8 interested and it would have forwarded the  
9 discussion if they had had those learnings ahead  
10 of time.  
11 That's part of what we are trying to  
12 respond to with this filing. We have learned  
13 stuff as a result of the reconciliation. There  
14 are going to be further calls with Southwestern  
15 Bell. I think it might forward those  
16 discussions if we make this available to the  
17 other CLECs in preparation of those calls.  
18 MS. NELSON: Okay. Is there  
19 anything else that needs to be addressed today?  
20 Okay. If not, let's take a break right now for  
21 10 or 15 minutes, and then we'll come back and  
22 finish up OSS.  
23 (Brief recess)  
24 MS. NELSON: Okay. Let's go back  
25 on the record.

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1 MS. LaVALLE: Your Honor, may we  
2 make a request. This is Kathleen LaValle, for  
3 AT&T. We were discussing this over the break.  
4 We were wondering if it might be appropriate,  
5 since we're obviously going to continue the  
6 discussion about changes to the business rule  
7 for the performance measures as per the  
8 workshops, whether we might go ahead and have  
9 AT&T make its brief presentation on the  
10 backsliding issue that was the subject of our  
11 March 2nd filing so that we could go ahead and  
12 have the Commission have the benefit of those  
13 contributions.

14 MS. NELSON: I was sort of  
15 thinking that we should finish out the  
16 performance measurements we had in front of us,  
17 and I really wanted to -- well, let me ask you  
18 this: How long is your presentation?

19 MR. COWLISHAW: 10 minutes.

20 MS. LaVALLE: The presentation  
21 would be 10 minutes and --

22 MR. COWLISHAW: Five if it needs  
23 to be.

24 MS. LaVALLE: -- five if it needs  
25 to be. (Laughter)

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1 MR. MURRAY: We'll have a reply.  
2 MS. NELSON: Okay. Well, if we do  
3 that, then, that's as far as we're going to get  
4 today, because I know 10 minutes in lawyer  
5 time -- (Laughter) -- is about like 10 minutes  
6 in Commission break time. (Laughter) Okay. So  
7 we'll do that and then we'll end for the day  
8 and --

9 MS. MURRAY: Could -- I mean,  
10 we've got our folks here on finishing up the  
11 OSS.

12 MS. NELSON: Performance measures.

13 MS. LaVALLE: This is just such a  
14 small number --

15 MS. NELSON: Well, we're not going  
16 to have any of the OSS. This is just a subset  
17 of OSS. So we are going to have to go back to  
18 those anyway.

19 MS. MURRAY: Well, we did, during  
20 the break, come up with some more information  
21 that we would like to get in the record --

22 MS. NELSON: Okay. Let's start  
23 with that, then. We're going to start with  
24 this, and then we'll go back to the other issue  
25 before we break.

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1 So we were on 10.1. Is that correct?

2 I think we had reached agreement on 10.1 and 11.  
3 Right? I thought we had totally resolved 10.1  
4 and 11.

5 MS. MURRAY: No.

6 MS. NELSON: I guess that was Nara  
7 and I. Okay. Go ahead. Mr. Dysart, did you --  
8 your attorney was indicating that one of you had  
9 follow-up.

10 MR. NOLAND: Yes. This is Brian  
11 Noland, with Southwestern Bell. And I know  
12 quite a bit today we've had discussion about the  
13 jeopardy notification process, and the start of  
14 that was in the mid January time frame.

15 We've done some preliminary checking of  
16 the numbers related to that, and we'd like to  
17 share those at this time. And this would be as  
18 a base of all LSRs throughout Southwestern Bell.  
19 This is not disaggregated for Texas only. But,  
20 again, it's preliminary data that I'm beginning  
21 to share.

22 But we have determined that only five  
23 percent of the LSRs have what we call jeopardy  
24 notifications that are sent on them.

25 MR. SRINIVASA: This is region --

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1 MR. NOLAND: Yes. A five-state  
2 area. So five percent of all LSRs have what we  
3 have been referring to as a jeopardy  
4 notification.

5 MS. NELSON: Did that increase in  
6 January?

7 MR. NOLAND: This is for -- what  
8 I'm referring to is for February and for March  
9 data that I have in front of me.

10 MR. SRINIVASA: For the entire  
11 month of March? It hasn't been -- well, a  
12 jeopardy notice, you don't have a PM. You don't  
13 post it. You're collecting --

14 MR. NOLAND: No, sir. This is  
15 just to give some idea of just some of the  
16 discussion that's taken place along this  
17 process. Of that five percent -- what we have  
18 found is between 42 and 45 percent of the five  
19 percent of the base total number of reject  
20 notifications during the month of February and  
21 March fell in the category of "there are no  
22 facilities."

23 And I spoke to that earlier, in that  
24 these could be worked on the due date and  
25 provisioned with the due date that was provided



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1 on the LSR. There could be situations which  
2 would involve a CF condition and would be  
3 captured in other performance measurements that  
4 we have, and we would miss the due date and the  
5 service would not be provisioned.

6 These are notifications that are  
7 provided through the jeopardy notification  
8 process.

9 MS. HALL: This is Laurie Hall,  
10 with AT&T. Do you have that information for  
11 December and January so we can make a  
12 comparison?

13 MR. NOLAND: Not with me. I do  
14 not have that information with me.

15 MS. LAWSON: And this is Beth  
16 Lawson, with Southwestern Bell. In January's  
17 where we started changing that we were doing the  
18 rejects to jeopardies, and we were just trying  
19 to put in perspective, because we had talked  
20 this morning that there was a concern that the  
21 rejects were changing because they were moving  
22 to jeopardies.

23 So we were just trying to put in  
24 perspective about the number of jeopardies that  
25 we're actually receiving, and it's a

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1 December through March --

2 MS. LAWSON: Okay. We'll do that.

3 MS. NELSON: -- and file something  
4 in the next day or two, that would be very  
5 helpful. If you could file it by, let's say,  
6 Wednesday at noon.

7 MR. SRINIVASA: Let me understand  
8 this. Now, five percent of all LSRs -- well,  
9 the February and March -- those jeopardy  
10 notices -- if you had followed the whole  
11 procedure -- say, for example, you reported for  
12 the month of February, 25 percent of the orders  
13 were rejected.

14 If you had followed the old procedure,  
15 you would have been 30 percent. Right? All of  
16 these five percent would have been included  
17 there?

18 MR. NOLAND: No.

19 MR. SRINIVASA: How does it work?

20 MR. NOLAND: There was some of  
21 what would be determined as reject notifications  
22 prior to the January 15th implementation that  
23 would have fallen under the reject category.

24 MS. NELSON: For instance, "no  
25 facilities."

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1 tremendously lower percentage than what you have  
2 for rejects.

3 MS. NELSON: And so what would the  
4 remaining 45 to 48 percent be?

5 MS. LAWSON: They were spread  
6 across. And we'd be more than happy to try to  
7 put some spreadsheets together. We're trying to  
8 validate this data.

9 We just wanted to give you a  
10 preliminary of what the percentage was and what  
11 the top percentage was. The others are spread  
12 across about 20 reject codes.

13 MS. NELSON: When do you think you  
14 could have that available?

15 MS. LAWSON: We should be able to  
16 have it the next day or two. And we can pull  
17 December's and January, but, again, we can't --  
18 it's not comparing apples and oranges, because  
19 in December some of these were returned as  
20 rejects, not jeopardy.

21 MS. NELSON: Right. But I think  
22 that's what we're interested in seeing, is the  
23 contrast between the two.

24 MR. NOLAND: Okay.

25 MS. NELSON: So if you could pull

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1 MR. NOLAND: Well, "no facilities"  
2 would have been there before, and it's going to  
3 be there after. So the biggest one we've got,  
4 42 to 45 percent, is still there.

5 MR. SRINIVASA: Oh, it's still in  
6 the reject --

7 MR. NOLAND: No. It's still in  
8 the jeopardy notification. It was not a reject  
9 notifier.

10 MS. MURRAY: It was never in  
11 there.

12 MR. SRINIVASA: Okay. So, in  
13 other words, the five percent, half of that,  
14 say, for example, was for no facilities;  
15 two-and-a-half percent would have been part of  
16 the reject.

17 MS. NELSON: He's saying it's  
18 various reasons, and that's what they are going  
19 to file, the document, showing what the reasons  
20 are.

21 MR. NOLAND: Yeah. I only spoke  
22 to the largest of the five percent, and that's  
23 when I said that, of that five percent, 42 to 45  
24 percent fell in the category for the month of  
25 February and March are no facilities.

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1 MS. KETTLER: Could you restate  
2 the basis of that five percent, the denominator?  
3 MR. NOLAND: Yes. The base for  
4 that measurement is from Performance  
5 Measurement 9, and that would be the number of  
6 LSRs from Performance Measurement 9 for the  
7 months of February and March.  
8 MS. NELSON: Okay. You know, I'm  
9 thinking that in terms of the presentation on  
10 the performance remedy plan that the performance  
11 remedy plan is something we're going to take up  
12 May 1st in more detail, because I know that  
13 there were changes that were discussed by the  
14 Commissioners in Open Meeting, if you were  
15 listening to those, in terms of focusing on the  
16 performance measures where the service has  
17 allegedly deteriorated.  
18 I think that's going to be a much  
19 broader discussion than can happen in 20  
20 minutes. And I'm afraid if we start today,  
21 what's going to happen is we're going to just  
22 start that discussion. We're all going to go  
23 away. We're going to come back on May 1st, and  
24 we're just going to have to repeat that same  
25 discussion.

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1 So I think it would be more useful to  
2 continue doing the performance measures we're  
3 looking at right now. Mr. Cowlishaw.  
4 MR. COWLISHAW: I just want to  
5 make one comment. And certainly the specifics  
6 in terms of discussion of the performance remedy  
7 plan and the changes that might be entertained  
8 to that may make sense to defer to a future  
9 discussion.  
10 Given the time frames involved, the  
11 point I wanted to try and walk us briefly  
12 through was at least based on what's available  
13 to AT&T in terms of the February data, updating  
14 the filing that AT&T had made. We would like an  
15 opportunity to address for the Staff's benefit  
16 where we think we are in terms of overall  
17 performance based on the data, to the extent we  
18 can see it, because we're back in the juncture  
19 of Southwestern Bell having reapplied to the FCC  
20 for 271 relief, it falling to Staff and the  
21 Commission to make an evaluation.  
22 And it's our view, when you look at the  
23 data and you reengage the 90 percent test based  
24 on the most three month's recent data, no matter  
25 how you might slice the 90 percent test, that

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1 the recent data have very serious implications,  
2 and we want to give you the benefit of that  
3 recent data and have a chance for the parties to  
4 address that so that from the perspective of  
5 your evaluation of the 271 performance and the  
6 271 reapplication that you would be able to make  
7 use of that.  
8 And that's kind of a separate issue  
9 from how should we address it in the remedy plan  
10 in terms of trying to better protect against  
11 backsliding. So we could confine to that part  
12 of the discussion, if we could.  
13 MS. NELSON: I guess I still have  
14 the same concern about being late in the day and  
15 not really having an opportunity for a  
16 meaningful discussion at this point.  
17 Ms. Murray, did you want to add  
18 anything?  
19 MS. MURRAY: We would agree with  
20 that, Your Honor.  
21 MS. NELSON: We just need to take  
22 a little two-minute break so Staff can discuss  
23 this.  
24 (Brief recess)  
25 MS. NELSON: Okay. Let's go back

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1 on the record. The concern I articulated  
2 earlier, if it was earlier in the day, I, even  
3 for 271 purposes, don't think it's really  
4 helpful to do something over a 15 or 20-minute  
5 period.  
6 So AT&T has its filing here.  
7 Southwestern Bell has its filing. To the extent  
8 AT&T wants to update it to include February  
9 data, the Commissioners will look at that at the  
10 time that they decide on the evaluation, but we  
11 will take it up in more detail when we discuss  
12 the performance remedy plan in terms of the  
13 six-month review.  
14 So for the remaining 15 minutes that  
15 we're here, what I would like to do is go over  
16 whatever we can -- however far we can make it on  
17 performance measures and the OSS performance  
18 measures.  
19 MS. MUDGE: Your Honor, Katherine  
20 Mudge, on behalf of Rhythms. I just wanted to  
21 advise that our subject matter experts had to  
22 catch a plane, and I did not want our silence to  
23 indicate that we were waiving our proposal with  
24 respect to those.  
25 And we will simply ask that they be

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1 considered in May or at least the arbitrators  
2 take into consideration our proposals, because  
3 we do have a matrix which provides our  
4 (inaudible) Thank you.  
5 MS. NELSON: Okay. Thank you,  
6 Ms. Mudge. Okay. So are we on 10.1 now?  
7 MR. SRINIVASA: 10.1. Percent  
8 mechanized rejects returned within a specified  
9 interval after Southwestern Bell's receipt of  
10 internal reject notice for DSL orders. And this  
11 is DSL specific?  
12 MS. NELSON: No. That is the code  
13 proposed by Rhythms, I believe.  
14 MR. SRINIVASA: That's the one?  
15 MS. NELSON: Yes. 10.1,  
16 Southwestern Bell had some changes to the  
17 exclusions and the business rule. Would that be  
18 correct.  
19 MR. DYSART: That's correct. This  
20 is Randy Dysart. Do you want me to go over  
21 those?  
22 MS. NELSON: That would be  
23 helpful.  
24 MR. DYSART: Thank you. We do  
25 have a sheet on this one. I'll just walk

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1 through that. Exclusions, just a clarification  
2 on the first bullet. We changed the word  
3 "manual rejects" to "rejects on LSRs received  
4 through the manual process." That is just a  
5 clarification issue.  
6 The second bullet is a new exclusion.  
7 It rejects from both the denominator and the  
8 numerator for those CLECs whose percent rejects  
9 represent 20 percent or more of their overall  
10 order base. In the business rule, just some  
11 clarification issues there.  
12 We removed one sentence, which said,  
13 "The rejected order is any reject that errors  
14 out of SORD and is returned to the CLEC via LASR  
15 GUI." We just added, "that requires manual  
16 intervention" instead of that specific phrase.  
17 And then we put the Service Bureau Provider  
18 phrase in there as we discussed on PM 10.  
19 Levels of disaggregation. We say  
20 "none." That should be crossed out. It's  
21 because we actually have three levels of  
22 disaggregation there. So that's kind of  
23 contradictory. Simple res and bus. UNE loops,  
24 1 to 49 and switch ports are less than five  
25 hours.

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1 And complex business, UNE loops, 50  
2 plus, less than 24 hours, and DSL (less loop  
3 qualification duration), less than 24. This was  
4 to more correspond to the FOC measurement where  
5 we had the different levels of disaggregation,  
6 because obviously it will take longer for a  
7 complex than it would for just a res and simple  
8 bus.  
9 And then minor, for clarification,  
10 report structure. There is nothing. Just  
11 "reported" instead of "for by." And then the  
12 benchmark, 95 percent within "X" hours. I  
13 believe that's all of the changes.  
14 MS. NELSON: Okay. I see Rhythms  
15 has a proposal. Does AT&T have a proposal?  
16 MS. LaVALLE: We have a proposal  
17 on disaggregation, Your Honor, but we also have  
18 a reply to those proposed changes of  
19 Southwestern Bell. We would simply respond to  
20 those.  
21 MS. NELSON: Let's start with the  
22 reply, then.  
23 MS. LaVALLE: The first would be  
24 that we don't see any justification for the new  
25 exclusion.

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1 MS. MURRAY: Your Honor, could we  
2 ask that --  
3 MS. LaVALLE: The only problem --  
4 I am going to refer to some -- not by CLEC name,  
5 but I have access to counsel-only confidential  
6 information that will respond directly to this  
7 new exclusion that we would not, on a CLEC name  
8 basis, share with our subject matter experts.  
9 MS. NELSON: I'll let you  
10 summarize that.  
11 MS. LaVALLE: That was the only  
12 issue I was going to try to address, Kelly, if  
13 that's all right.  
14 The new exclusion would remove from  
15 both the denominator and the numerator any CLEC  
16 who has a reject rate in excess -- or actually  
17 of 20 percent or more to overall order base.  
18 And I have looked at the confidential  
19 attachments to the Liz Ham supplemental  
20 affidavit that was filed with the FCC most  
21 recently. And of the 34 LEX users, none would  
22 qualify based on their reject rates.  
23 And so none of that performance would  
24 be captured. And for the EDI users, only one of  
25 11 had a reject rate that would qualify them to

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1 have their data returned to them and included in  
2 this measure. We would strongly therefore  
3 oppose the exclusion.

4 There has been no prior discussion. It  
5 was not submitted in the earlier Southwestern  
6 Bell submission. We have strong feelings about  
7 it as well as trying to change the benchmark  
8 from 97 percent down to 95 percent.

9 MS. NELSON: Okay. Mr. Dysart,  
10 could you explain the need for the second  
11 exclusion?

12 MR. DYSART: I'll ask for --  
13 (Laughter)

14 MR. COWLISHAW: That's a "no."

15 MR. DYSART: Well, we have people  
16 that can. I can't.

17 MS. SALAS: Well, we've talked  
18 about this at some length and we've run some  
19 internal numbers on it. And what we found is  
20 the majority of things that cause us to  
21 consistently miss this particular measure is the  
22 volume of complex service.

23 And on our complex services, under the  
24 FOC measure, we get more than five hours to be  
25 able to FOC it. And oftentimes what we find is,

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1 due to the kind of orders and the number of  
2 variables within those orders, it takes us often  
3 longer than five hours to go in and make the  
4 determination to reject it.

5 MS. NELSON: What is the standard  
6 in Bell Atlantic?

7 MS. MURRAY: If I may. It's 95  
8 percent within 24 hours.

9 MR. SRINIVASA: Is that for  
10 complex business?

11 MS. MURRAY: That's for  
12 everything. They don't break it out. What  
13 we're doing is more stringent than what is  
14 presently in effect at Bell Atlantic.

15 MS. SALAS: Oh, the exclusion?

16 MS. LaVALLE: That's the only  
17 issue that I thought I had raised, was the  
18 exclusion --

19 MS. SALAS: Oh, the exclusion.

20 MS. LaVALLE: -- why would we take  
21 out any CLEC who had a reject --

22 MS. SALAS: Well, what we --

23 MS. NELSON: I guess my question  
24 went to -- their response was that they're  
25 excluding it because of the five-hour

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1 requirement. And so --

2 MS. SALAS: We're not asking to  
3 exclude it based on the five hour. That's a  
4 level of disaggregation. The exclusion is much  
5 the same as the CLEC community has put in our  
6 direction.

7 We feel like it's an incentive for them  
8 to manage their accuracy and their overall  
9 validity of their LSRs.

10 MR. SRINIVASA: Well, this is  
11 measuring the duration it takes for you to send  
12 the rejects back.:

13 MS. SALAS: But the volume -- the  
14 sheer volume that's coming at us is just --

15 MS. KETTLER: Quite frankly, Your  
16 Honor, I know that Birch is -- obviously we're a  
17 LEX user. So we are one of those that would be  
18 excluded from this. And despite repeated  
19 requests for a current definition of complex  
20 orders, that's very unclear.

21 But, for example, based on the analysis  
22 of the data, we have been told that adding -- or  
23 what we see is adding hunting to a group of  
24 three lines makes its complex. I would beg to  
25 argue that a comparable basis of 24 hours to

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1 reject an order in the retail arena, that that  
2 exists, I just can't believe it.

3 MS. NELSON: Right. This is where  
4 we're getting into the Bell Atlantic standard.  
5 So if we're going to talk about -- I guess, from  
6 a Staff perspective, we want this process to be  
7 balanced, and some parties are often quoting  
8 Bell Atlantic as the be-all end-all standard for  
9 Texas on various other measures, and I just  
10 think it's fair to be balanced in that  
11 presentation, because the truth is -- my  
12 understanding is -- that it is a 24-hour period  
13 for all.

14 So to the extent we're going to  
15 disagree about the way we're categorizing things  
16 or the way Southwestern Bell has categorized  
17 them, just be aware that to the extent there is  
18 not agreement on these issues, the level of  
19 disaggregation and the benchmark, within the  
20 disaggregation, then we're just, in essence, you  
21 know, considering all that's out there,  
22 including the standards set out in Bell  
23 Atlantic.

24 MS. KETTLER: All I was trying to  
25 point out, Your Honor, is parity level service,

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1 the environment in which we have to compete.  
2 And having been a complex user of Southwestern  
3 Bell retail services in a prior life, I know  
4 that processing orders with hunting arrangements  
5 did not take days in terms of rejects and FOC  
6 intervals.

7 I mean, it was basically done while  
8 you're on the telephone. But our point is, is,  
9 one, we would be totally excluded from this.

10 Two, we have a number of rejects. We're  
11 looking -- many of our rejects are due to the  
12 addressing problem, and they are invalid  
13 rejects.

14 It's just very difficult to get them  
15 through this system because of the addressing  
16 problem. So we're hoping a lot of these rejects  
17 will go away. It's not caused by our errors in  
18 total. This is double sided. I am completely  
19 opposed to the changes that have been made here.  
20 And, in fact, Birch had recommended that the  
21 remedy be increased to medium, because right now  
22 our provisioning intervals are being extended  
23 inappropriately by the continued rejects  
24 exceeding the five-hour interval.

25 MS. NELSON: Okay. And I would

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1 we did run into this with one or two couple of  
2 CLECs.

3 So it's a situation of, we want to be  
4 able to exclude that where we're required to do  
5 a great deal of work to just the system and  
6 rejecting the orders back.

7 So it's more along the lines of an  
8 influx, comparatively to where they have been  
9 running.

10 MR. SRINIVASA: Let me ask you  
11 this: If you take away rejects attributable to  
12 address problems -- okay -- then it won't be in  
13 that range, like 25 or 30. Right? It will be  
14 much less.

15 MS. NELSON: I guess what he's  
16 saying is, if you do a root cause analysis --

17 MR. SRINIVASA: Anything that a  
18 reject code related to address is not included  
19 in that calculation of 20 percent.

20 MS. MURRAY: I think that --

21 MS. CHAMBERS: This is Julie  
22 Chambers, with AT&T. I mean, I think we don't  
23 yet know what the impacts of the removal of the  
24 address will really have.

25 I do note that, you know, this

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1 ask Southwestern Bell if there was another  
2 way -- is the only reason for the rejects to  
3 give -- for excluding rejects where CLECs have  
4 20 percent -- 20 percent of their overall order  
5 base is a reject -- I know I'm paraphrasing that  
6 probably not correctly, but do you understand  
7 what I'm saying?

8 Is your only goal to encourage CLECs to  
9 submit correct orders? I think the CLECs  
10 probably have every incentive within their own  
11 business to submit correct orders. So if that's  
12 the only reason, I'm not so sure it's going to  
13 fly by Staff.

14 So if there is another reason or there  
15 is some other modification you want to this  
16 measure, then, given what CLECs have said, maybe  
17 it would be appropriate for you to come back  
18 with that next time.

19 MS. DILLARD: And this is Maria  
20 Dillard. Just one quick clarification on that.  
21 The situation that we run into is if a CLEC is  
22 running 25 percent, 20 percent on their rejects  
23 and all of a sudden they increase, and we are  
24 hit with a large load of a situation where a  
25 CLEC may have a system problem on their end, and

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1 exclusion is related to 20 percent of all  
2 orders, and the measure is for manual rejects.  
3 You know, we would like all our orders to flow  
4 through so we receive mechanized rejects rather  
5 than manual rejects anyway.

6 I mean, we've stated we don't agree  
7 with that exclusion in general, but then also if  
8 you just think of it logically it doesn't make  
9 sense.

10 MS. NELSON: I think I indicated  
11 that Staff already has a problem with that.

12 MS. MURRAY: And if I might reply  
13 to that. I think we'd like to take another look  
14 at the exclusion and come back to you on that.  
15 I do think that the other things sent out  
16 perhaps can be considered with that exclusion  
17 set aside.

18 In other words, what we're trying to do  
19 there is get some relief on the complex orders  
20 and to bring ourselves in terms of the levels of  
21 disaggregation into more of a Bell Atlantic type  
22 of a situation. So if we could set that  
23 exclusion aside, we'll come back to you with  
24 something on that, but the rest of the measure  
25 is set out to kind of give us some relief based

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1 on Bell Atlantic --

2 MS. KETTLER: If I might add one

3 more piece of information. We review this

4 frequently in our weekly conference calls. And

5 what we hear is basically the LSC is not

6 sufficiently staffed to accommodate the growth

7 and the volume of orders, just the natural

8 growth.

9 So I would question respectively

10 whether Southwestern Bell is clearly looking at

11 this issue as simply sufficient staffing to

12 accommodate the growth in CLECs orders or have

13 you adequately really looked at the root cause

14 problems so that they can be systematically and

15 automatically fixed rather than imposing reverse

16 constraints on the CLECs.

17 MS. NELSON: Ms. Murray.

18 MS. MURRAY: Regardless of the

19 system issues or the issues that are being

20 raised here, we're operating in a situation

21 where we're having to return rejects on complex

22 orders in five hours, when we've got 24 hours to

23 FOC them.

24 That doesn't have anything to do with

25 the type of issue that is being raised. And I

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1 think the fact that we've got a standard in

2 place here that is extremely difficult for us to

3 meet in light of everything that is being sent

4 our way, and we're looking to bring the whole

5 system more into good -- making it comparable to

6 what the FCC has found acceptable in Bell

7 Atlantic.

8 MS. NELSON: Ms. Bourianoff.

9 MS. BOURIANOFF: Ms. Nelson, I

10 wanted to respond to the comment you made a few

11 minutes ago about parties espousing the Bell

12 Atlantic standard.

13 I wanted to make clear that AT&T's

14 request to brief the Bell Atlantic --

15 MS. NELSON: Oh, I'm not talking

16 about that. I'm just talking about across the

17 whole 271 standard and the whole 271 case and in

18 a variety of measures. So I'm not -- I was not

19 referring to what you said at all or to what

20 AT&T had said.

21 MS. BOURIANOFF: Because I wanted

22 to make clear in our filing -- I mean, I think

23 we repeatedly said that in many ways we

24 considered the Bell Atlantic standards to be too

25 lax or too lenient. So I wanted to make that

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1 clear for the record.

2 MS. NELSON: Okay. Yes,

3 Mr. Drummond.

4 MR. DRUMMOND: Eric Drummond, with

5 Casey, Gentz & Sifuentes. Just a quick point.

6 I think that everything we're discussing -- what

7 we're discussing here today has everything to do

8 with scalability, with the number of personnel

9 at the LSC. It's an issue that concerns CLECs

10 last summer, last fall.

11 It was an issue that Telcordia in its

12 report indicated that Bell -- would Bell scale

13 up its personnel for commercial volumes in light

14 of the fact that we thought there were problems.

15 What I hear us -- what I hear the

16 subject matter experts discussing today has

17 everything to do with that.

18 MS. NELSON: And it's --

19 MR. DRUMMOND: Maybe it's a

20 (inaudible) issue that we need to look at.

21 MS. NELSON: It's an issue that's

22 being reviewed by Telcordia right now. An order

23 went out actually I think on Friday inviting

24 CLECs to participate in the discussions that are

25 ongoing during the Telcordia, Staff,

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1 Southwestern Bell review. CLECs are invited.

2 And it also asked for some busy time projections

3 from CLECs for the next 12-month period.

4 So I think those are issues that are

5 currently under review.

6 MR. DYSART: Could I make one

7 comment?

8 MS. NELSON: Yes, Mr. Dysart.

9 MR. DYSART: One comment on the

10 levels of disaggregation. This is simply a way

11 to quantify the type of work you're doing and

12 give more time to the things that take more --

13 that we've recognized in the FOC measurement it

14 would take more time to do.

15 It's not about scalability. It's not

16 about anything like that. It's about, a simple

17 res and bus order takes less time to do than a

18 complex order. It's really that simple at the

19 levels of disaggregation. That's what we tried

20 to do here.

21 MS. NELSON: Okay. Does

22 anybody -- we'll take up with 10.1 when we

23 reconvene. Staff will be coming out with a

24 schedule of -- since we have conceivably in a

25 perfect world -- all the rest of the performance

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1 measures to be discussed on May 1st, 2nd and  
2 3rd.

3 We will be coming out with an order  
4 that sets out the ordering or an agenda on  
5 specific areas, and these performance measures  
6 will be carried over at that time. And given  
7 that, I think now may be a good time for us to  
8 end. Yes, Ms. Mudge.

9 MS. MUDGE: Your Honor, with  
10 respect to the last couple of days of our  
11 performance measurement discussions, we had  
12 several action items that I made a list of  
13 homework assignments, but could we expect an  
14 order of some sort from you that would indicate  
15 when our homework is due?

16 MS. NELSON: Yes. That order  
17 would have come out today, but for the fact that  
18 we've been in this all day. But it will be  
19 coming out tomorrow.

20 MS. MUDGE: And I'm sure you'll  
21 take into consideration that we were here all  
22 day today, too.

23 MS. NELSON: Yes. We certainly  
24 will.

25 MS. MUDGE: Thank you very much.

C E R T I F I C A T E

3 STATE OF TEXAS )  
4 COUNTY OF TRAVIS )  
5 We, Aloma J. Kennedy, Kim Pence and  
6 William C. Beardmore, Certified Shorthand  
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9 occurred as hereinbefore set out.

11 We FURTHER CERTIFY THAT the proceedings  
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1 MS. NELSON: Okay. We're going to  
2 adjourn. Thank you.  
3 (Adjournment -- 5:12 p.m.)

3 Aloma J. Kennedy  
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